

**2081CV00087 Bissasor, Andre vs. Donais, Craig**

- Case Type:
- Torts
- Case Status:
- Closed
- File Date
- 01/10/2020
- DCM Track:
- A - Average
- Initiating Action:
- Defamation
- Status Date:
- 08/02/2021
- Case Judge:
- 
- Next Event:
- 

[All Information](#) [Party](#) [Event](#) [Tickler](#) [Docket](#) [Disposition](#)

**Party Information**

**Bissasor, Andre**  
- Plaintiff

[Alias](#)

**Party Attorney**

- Attorney
- Pro Se
- Bar Code
- PROPER
- Address
- Phone Number
- 

[More Party Information](#)

**Donais, Craig**  
- Defendant

[Alias](#)

[Party Attorney](#)

[More Party Information](#)

**Events**










<a href="#">Date</a>	<a href="#">Session</a>	<a href="#">Location</a>	<a href="#">Type</a>	<a href="#">Event Judge</a>	<a href="#">Result</a>
03/05/2020 02:00 PM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Rescheduled
03/25/2020 02:00 PM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Rescheduled-Covid-19 emergency
07/15/2020 02:00 PM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Rescheduled
09/22/2020 03:30 PM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Rescheduled
10/16/2020 12:00 PM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Rescheduled
11/13/2020 10:30 AM	Civil L2 CR16	Courtroom 710	1 Trial Hearing		Held as Scheduled
11/30/2021 02:00 PM	Civil L2 CR16		Status Review	Sarrouf, Camille	Held as Scheduled


**Ticklers**







<a href="#">Tickler</a>	<a href="#">Start Date</a>	<a href="#">Due Date</a>	<a href="#">Days Due</a>	<a href="#">Completed Date</a>
Service	01/10/2020	04/09/2020	90	02/23/2021
Answer	01/09/2020	05/08/2020	120	02/23/2021












<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Rule 12/19/20 Served By	01/09/2020	05/08/2020	120	02/23/2021
Rule 12/19/20 Filed By	01/09/2020	06/08/2020	151	02/23/2021
Rule 12/19/20 Heard By	01/09/2020	07/07/2020	180	02/23/2021
Rule 15 Served By	01/09/2020	03/04/2021	420	02/23/2021
Rule 15 Filed By	01/09/2020	04/05/2021	452	02/23/2021
Rule 15 Heard By	01/09/2020	04/05/2021	452	02/23/2021
Discovery	01/09/2020	12/29/2021	720	02/23/2021
Rule 56 Served By	01/09/2020	01/28/2022	750	02/23/2021
Rule 56 Filed By	01/09/2020	02/28/2022	781	02/23/2021
Final Pre-Trial Conference	01/09/2020	06/27/2022	900	02/23/2021
Judgment	01/09/2020	01/09/2023	1096	02/23/2021
1 Trial entry of dismissal NISI	01/30/2020	02/13/2020	14	03/23/2020

















**Docket Information**

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
01/10/2020	Case assigned to: DCM Track A - Average was added on 01/10/2020		
01/10/2020	Complaint electronically filed.	1	
01/10/2020	Civil action cover sheet filed.	2	
01/10/2020	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit	3	
01/30/2020	One Trial entry of dismissal nisi S.J.C. "Order Regarding Amount in Controversy".  ORDER: After review of the complaint and the civil cover sheet which only stated under "Statement of Damages" that "**claims for damages exceed \$25,000*," the court preliminarily finds that plaintiff has failed to make sufficient pleading regarding the amount necessary to proceed in the superior court.  Judge: Freniere, Hon Diane	4	
02/12/2020	Plaintiff Andre Bissasor's Request for hearing and response concerning damages amount/order on dismissal nisi.	5	
02/24/2020	The following form was generated:  Notice to Appear Sent On: 02/24/2020 09:06:30		
02/24/2020	ORDER: NOTIFICATION OF HEARING FOLLOWING REQUEST ON ISSUE OF DISMISSAL FOR WANT OF PROCEDURAL AMOUNT This hearing is scheduled after the court's receipt of plaintiff's timely request for a hearing on the issue of dismissal for want of procedural amount. Plaintiff will serve a copy of this notice on all parties to this action no less than 7 days prior to the scheduled hearing. An affidavit of notification must be filed with the court no later than the date of the hearing. The affidavit will state: (1) to whom notification was made; (2) date and manner of notification; and (3) address to which notification was made.  Judge: Freniere, Hon Diane	6	
02/26/2020	Plaintiff Andre Bissasor's Request for continuance of hearing and request for adjusted time to serve notice of hearing on Defendant	7	
02/27/2020	Endorsement on Request for Continuance of Hearing and Request for Adjusted Time to Serve Notice of Hearing on Defendant (#7.0): ALLOWED The clerk shall reset the service deadlines consistent with hearing on this matter which will be rescheduled for March 25, 2020 at 2 pm.  Judge: Freniere, Hon Diane		 
02/27/2020	Event Result:: 1 Trial Hearing scheduled on: 03/05/2020 02:00 PM Has been: Rescheduled For the following reason: Request of Plaintiff Hon Diane Freniere, Presiding Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		




















<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
02/27/2020	The following form was generated:  Notice to Appear Sent On: 02/27/2020 14:45:49		
03/18/2020	Plaintiff Andre Bissasor's EMERGENCY Request for Continuance of Hearing Due to COVID-19	8	 <a href="#">Image</a>
03/23/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: 1 Trial Hearing scheduled on: 03/25/2020 02:00 PM Has been: Rescheduled-Covid-19 emergency Hon Diane Freniere, Presiding Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		
03/23/2020	Endorsement on Motion to continue / reschedule an event Hearing of 3/25/2020 (dismissed for failure to meet jurisdictional amount) (#8.0): ALLOWED the request for continuance. A new date to be determined after April 21, 2020 or as soon as practicable in accordance with SJG & Superior Court Orders.		 <a href="#">Image</a>
04/01/2020	The following form was generated: A Notice to Appear was generated and sent to: Plaintiff: Andre Bissasor Defendant: Craig Donais		
06/29/2020	The following form was generated:  Notice to Appear Sent On: 06/29/2020 10:31:44		
07/07/2020	Plaintiff Andre Bissasor's EMERGENCY Request for continuance of hearing due to covid-19.	9	 <a href="#">Image</a>
07/10/2020	Event Result:: 1 Trial Hearing scheduled on: 07/15/2020 02:00 PM Has been: Rescheduled For the following reason: Request of Plaintiff Hon Diane Freniere, Presiding Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		
07/10/2020	Endorsement on Motion to continue / reschedule an event Hearing regarding jurisdictional amount (#9.0): ALLOWED By 9/15/2020, plaintiff must submit an affidavit that provides the court with all information he deems relevant to the jurisdictional determination. Balancing the parties' interests, plaintiff is required to appear by Zoom on 9/22/2020 to be heard. Failure to appear will result in dismissal without prejudice. Plaintiff must provide the asst. clerk with his email in order for a Zoom invite to be sent. The clerk's email is beatriz.van-meek@jud.state.ma.us and must be provided by 9/1/20.  Judge: Freniere, Hon Diane		 <a href="#">Image</a>
09/16/2020	Event Result:: 1 Trial Hearing scheduled on: 09/22/2020 03:30 PM Has been: Rescheduled For the following reason: Request of Plaintiff Hon Diane Freniere, Presiding Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		
09/16/2020	The following form was generated:  Notice to Appear Sent On: 09/16/2020 11:47:33 Notice Sent To: Andre Bissasor 119 Drum Hill Rd #233, Chelmsford, MA 01824 Notice Sent To: Craig Donais 444 Willow St, Manchester, NH 03101		
09/17/2020	The following form was generated:  Notice to Appear Sent On: 09/17/2020 16:36:47 Notice Sent To: Andre Bissasor 119 Drum Hill Rd #233, Chelmsford, MA 01824 Notice Sent To: Craig Donais 444 Willow St, Manchester, NH 03101		
10/14/2020	Plaintiff Andre Bissasor's Motion to Continue Hearing	10	 <a href="#">Image</a>
10/14/2020	Event Result:: 1 Trial Hearing scheduled on: 10/16/2020 12:00 PM Has been: Rescheduled For the following reason: Request of Plaintiff Hon. Christopher K Barry-Smith, Presiding		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		
10/14/2020	The following form was generated:  Notice to Appear Sent On: 10/14/2020 14:41:16 Notice Sent To: Andre Bissasor 119 Drum Hill Rd #233, Chelmsford, MA 01824 Notice Sent To: Craig Donais 444 Willow St, Manchester, NH 03101		
10/14/2020	Endorsement on Motion to continue / reschedule an event Hearing (#10.0): ALLOWED Based on plt's representation that he is undergoing medical treatment to address medical issues, which presumably, prevent him from attending the hearing he requested to revisit the Court's "preliminary" finding that plaintiff has failed to make sufficient pleading regarding the amount necessary to proceed in superior court, this Friday's hearing (10/16/2020) is continued to November. While the Court has scheduled this matter twice before as a result of the COVID emergency, plt has requested continuances 2 prior times. No further continuances will be ALLOWED. The November date will be a firm date. The complaint was filed nearly a year ago. The plt is reminded that he must comply with the Order issued by the Court on 2/24/2020 @ P#6.		 <a href="#">Image</a>
11/12/2020	Affidavit  PLAINTIFF'S AFFIDAVIT CONCERNING DAMAGES AMOUNT FOR CRAIG DONAIS CASE	11	 <a href="#">Image</a>
11/12/2020	Affidavit  PLAINTIFF'S AFFIDAVIT OF NOTIFICATION	12	 <a href="#">Image</a>
11/13/2020	Event Result:: 1 Trial Hearing scheduled on: 11/13/2020 10:30 AM Has been: Held as Scheduled Hon. Christopher K Barry-Smith, Presiding Staff: Beatriz E Van Meek, Assistant Clerk Magistrate		
11/19/2020	Endorsement on Submission of Affidavit Concerning Damages Amount for Craig Donais Case (#11.0): Other action taken See order on page 14:  Because plaintiff identified damages of \$25,000 on his civil action cover sheet, after notice a hearing was held on 11/13/2020 concerning whether plaintiff satisfied the jurisdictional amount requirements of Superior Court. Although I am skeptical of the damages explanations advanced by plaintiff in his affidavit and at hearing, given the limited circulation of the allegedly defamatory statements at issue, at this juncture, I am restrained to accept as true the complaint's allegations and not assess deeply the merits of the case. Given the uncertainty inherent in gauging the value of reputational harm and defamation damages, plaintiff has alleged facts that conceivably could result in jurisdictional amount being satisfied. For these reasons, the case will remain in Superior Court.		 <a href="#">Image</a>
02/23/2021	JUDGMENT OF DISMISSAL (1-88) entered, service not completed for any party by deadline review.  Judge: White, Jr., Hon. William M	13	
02/23/2021	Document: A Judgment of Dismissal 1-88 was generated and sent to: Plaintiff: Andre Bissasor 119 Drum Hill Rd #233, Chelmsford, MA 01824 Defendant: Craig Donais 444 Willow St, Manchester, NH 03101		
03/23/2021	Self-Represented Plaintiff Andre Bissasor's Motion to Extend Time to File a Notice of Appeal and/or other Alternative Relief	14	 <a href="#">Image</a>
03/25/2021	Docket Note: Letter sent to Plaintiff in response to e-mail		
03/29/2021	MEMORANDUM & ORDER:  MEMORANDUM & ORDER:  MEMORANDUM OF DECISION AND ORDER ON PLAINTIFF'S MOTION TO VACATE DISMISSAL PURSUANT TO STANDING ORDER 1-88  Plaintiff Andre Bisasor pro se ("Biasosor") filed this Complaint in the Superior Court on January 9, 2020. At the time the complaint was filed, a tracking order issued that contained the various deadlines established for the different stages of litigation.  In docket paper #14, Biasasor's motion to extend time to file a notice of appeal, and/or other alternative relief, he seeks to vacate the dismissal entered pursuant to the Sixth Amended Standing Order 1-88 relating to time standards. Notwithstanding Biasasor's claims that others failed to notify him of deadlines, the choice to proceed with a civil action belongs to Biasasor as it would with any civil litigant. It is the responsibility of each litigant to be aware of the deadlines in his/her case and to accomplish the goals for each stage. The tracking order sets forth the court's expectation for each stage. Dates for when particular filings are due with the court appear on the face of the tracking order. No special favor is conveyed on any	15	 <a href="#">Image</a>

<a href="#">Docket Date</a>	<a href="#">Docket Text</a>	<a href="#">File Ref Nbr.</a>	<a href="#">Image Avail.</a>
	<p>party. If there is an extended period of inactivity, the matter may be dismissed based on time standards.</p> <p>That Biasasor may have appeared in court in November 2020 is not dispositive of the tracking order's requirements. As he was aware of the tracking order deadlines, Biasasor was on notice as to when the various deadlines would expire or had expired. It was incumbent on him to seek an extension of the tracking order deadlines as it now is.</p> <p>Accordingly, the motion to vacate dismissal is ALLOWED</p> <p>ORDER</p> <p>For the foregoing reasons, the motion to vacate dismissal is ALLOWED. The court further Orders Plaintiff to file a motion to extend the tracking order on or before April 16, 2021. Failure to file a motion to extend the tracking order, without good cause, may result in dismissal of this action.</p> <p>William M. White, Jr. Justice of the Superior Court</p> <p>Judge: White, Jr., Hon. William M</p>		
04/15/2021	Plaintiff Andre Bissasor's Motion to extend tracking order pursuant to the court's 3-29-21	16	 <a href="#">Image</a>
04/22/2021	<p>Endorsement on Motion to extend tracking deadline(s) (#16.0): Other action taken EXPANDED ENDORSEMENT on plaintiff's motion to extend tracking order. The Motion is ALLOWED in part and insofar as the deadlines are identified herein:</p> <ul style="list-style-type: none"> <li>-Service of process upon named defendant July 16, 2021</li> <li>-Answer August 23, 2021</li> <li>-Rule 12 motion served by August 27, 2021</li> <li>-Rule 12 package filed with the court by September 28, 2021</li> <li>-Rule 15 motion served by April 15, 2022</li> <li>-Rule 15 package filed with the Court by May 16, 2022</li> <li>-Discovery to be completed by May 31, 2022</li> <li>-Rule 56 motion served by July 1, 2022</li> <li>-Rule 56 package filed with the Court by August 1, 2022</li> <li>-Final Pre-Trial Conference to be scheduled by October 28, 2022</li> <li>-Final Trial Conference and Trial Date to be determined.</li> </ul> <p>So ORDERED Dated 4/21/21</p> <p>Judge: Sarrouf, Camille</p>		 <a href="#">Image</a>
07/08/2021	Plaintiff Andre Bissasor's Motion to Extend Time To Serve Process On The Defendant Due To Settlement Reached	17	 <a href="#">Image</a>
07/12/2021	<p>Endorsement on Motion to extend time to serve process (#17.0): DENIED After review the order or April 21, 2021 remains in effect.</p> <p>Judge: Sarrouf, Camille</p>		 <a href="#">Image</a>
07/15/2021	Plaintiff Andre Bissasor's EMERGENCY Motion to Reconsider The Court's 7-12-21 Order On Motion To Extend Time To Serve Process on The Defendant Due To Settlement Reached	18	 <a href="#">Image</a>
07/15/2021	Plaintiff Andre Bissasor's EMERGENCY Motion to Impound Settlement Communications	19	 <a href="#">Image</a>
07/16/2021	Plaintiff Andre Bissasor's EMERGENCY Motion to temporarily relieve or stay today's deadline to serve process until Judge Sarrouf returns on Monday	20	 <a href="#">Image</a>
07/16/2021	<p>Endorsement on Motion to Temporarily relieve or stay today's deadline to serve process until Judge Saffouf returns on Monday. After review, motion is (#20.0): DENIED Plaintiff's paper #18 is docketed and pending. (Endorsed by Judge Buxton and Plaintiff notified by phone and email on 7/16/20)</p>		 <a href="#">Image</a>
07/16/2021	Plaintiff Andre Bissasor's Motion to Judge Sarrouf To Temporarily Relieve or Stay The 7-16-21 Deadline To Serve Process On The Defendant Until Judge Sarrouf Returns On Monday In Light Of Judge Sarrouf's Absence From Session	21	 <a href="#">Image</a>
07/19/2021	<p>Endorsement on Motion to Reconsider The Court's 7-12-21 Order On Motion To Extend Time To Serve Process On The Defendant Due To Settlement Reached (#18.0): DENIED Case was filed with the court on January 10, 2020. After multiple extensions the decision of 7.12.21 stands as no valid or justifiable reason has been forwarded to reconsider.</p>		 <a href="#">Image</a>
07/19/2021	<p>Endorsement on Motion to Impound Settlement Communications (#19.0): DENIED without prejudice. If any matter, paper, document or agreement is to come before the court a hearing would be held to determine whether impoundment is appropriate.</p> <p>Judge: Sarrouf, Camille</p>		 <a href="#">Image</a>

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
07/19/2021	Endorsement on Motion to Judge Sarrouf To Temporarily Relieve Or Stay The 7-16-21 Deadline To Serve Process On The Defendant Until Judge Sarrouf Returns On Monday In Light Of Judge Sarrouf's Absence From Session (#20.0): DENIED In light of the July 12, 2021 order and denial of the motion for reconsideration (Paper #18), the motion is denied.		 <a href="#">Image</a>
08/02/2021	JUDGMENT OF DISMISSAL (1-88) entered, service not completed for any party by deadline review.  Judge: Sarrouf, Camille	22	 <a href="#">Image</a>
08/02/2021	Document:  Judgment of Dismissal 1-88 Sent On: 08/02/2021 11:06:27 Notice Sent To: Andre Bissasor 119 Drum Hill Rd #233, Chelmsford, MA 01824		
08/23/2021	Affidavit  of Service and Motion to Vacate 1-88 Dismissal  Applies To: Bissasor, Andre (Plaintiff)	23	 <a href="#">Image</a>
08/23/2021	Affidavit  of Service and Motion to Vacate 1-88 Dismissal (Amended)  Applies To: Bissasor, Andre (Plaintiff)	24	 <a href="#">Image</a>
08/23/2021	Plaintiff Andre Bissasor's Notice to withdrawal of the prior two filings of the affidavit of service and motion to vacate 1-88 dismissal	25	 <a href="#">Image</a>
08/23/2021	Affidavit  of service and motion to vacate 1-88 dismissal ( second amended )	26	 <a href="#">Image</a>
08/26/2021	Endorsement on Motion to Vacate 1-88 Dismissal (#26.0): DENIED For the reasons previously stated in setting the deadlines for service of process the motion/request made by the plaintiff is Denied. Dated 8/24/21  Judge: Sarrouf, Camille		 <a href="#">Image</a>
08/27/2021	Plaintiff Andre Bissasor's EMERGENCY Motion for Clarification and request for Findings of Fact and Rulings of Law	27	 <a href="#">Image</a>
08/27/2021	Plaintiff Andre Bissasor's EMERGENCY Request for Hearing	27.1	 <a href="#">Image</a>
08/31/2021	Endorsement on Motion for Clarification And Request For Findings Of Fact And Rulings Of Law (#27.0): DENIED  Judge: Sarrouf, Camille		 <a href="#">Image</a>
09/01/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Motion to file late notice of appeal filed by Andre Bissasor. (Paper #1), on September 1, 2021	28	 <a href="#">Image</a>
09/01/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Motion to Waive entry fee (IMPOUNDED) filed by Andre Bissasor. The Motion to Waive entry fee is allowed conditionally, subject to review and further order. See G.L. c. 261, s. 27C(1)(2)& (3). (Paper #4), on September 2, 2021, the following order was entered on the docket of the above-referenced case:	29	 <a href="#">Image</a>
09/01/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that on September 1, 2021, the above referenced matter has been entered on the single justice docket of the Appeals Court.	30	 <a href="#">Image</a>
09/01/2021	NOTICE OF APPEAL: I, the plaintiff, hereby file this notice of appeal of a decision entered on 8/2/2021 by Judge Camille Sarrouf of the Middlesex Superior Court of Massachusetts wherein he entered a judgment of dismissal for lack of service, which was erroneously entered, as follows:  Applies To: Bissasor, Andre (Plaintiff)	31	 <a href="#">Image</a>
10/05/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, respect to the Status report filed by Andre Bissasor. (Paper #7), on October 5, 2021, the following order was entered on the docket of the above-referenced case: RE#7: Appellate proceedings stayed to 11/04/2021. Status report due then as to the filing and disposition of the motion for reconsideration.	32	 <a href="#">Image</a>
10/07/2021	Notice of assembly of record sent to Counsel	33	 <a href="#">Image</a>



<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
10/07/2021	Notice to Clerk of the Appeals Court of Assembly of Record	34	
10/07/2021	Appeal: Statement of the Case on Appeal (Cover Sheet).	35	
10/21/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that on October 21, 2021, the above referenced matter has been entered on the single justice docket of the Appeals Court.	36	 
10/21/2021	Notice of docket entry received from Appeals Court ORDER (RE#1): Treating the within as a motion seeking leave to late docket the appeal that the petitioner represents he received the notice of assembly on 10/12/21 from the trial court, no action is necessary as the 14-day deadline for docketing the appeal under Mass. R. A. P. 10 has not expired yet. To the extent the petitioner wants to pursue the appeal, he is to proceed by paying the entry fee, or filing a motion to waive supported by a current affidavit of indigency, and a civil appeal entry form on or before 10/26/21. To the extent the petitioner seeks leave to delay docketing that appeal because he is not ready to proceed to briefing the matter, that request for relief is denied. The proper course is for the petitioner to docket the appeal timely and then file a motion to stay the appeal, to the extent necessary, following the entry of the appeal in the Appeals Court. (Blake, J.) Notice/attest	36.1	
10/21/2021	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit (IMPOUNDED)	37	 
10/26/2021	Plaintiff Andre Bissasor's EMERGENCY Motion and Affidavit for the Recusal of Judge Camille Sarrouf	38	
10/26/2021	Plaintiff Andre Bissasor's Notice of "Letter of Request to Chief Justice of the Trial Court"	39	
10/27/2021	Plaintiff Andre Bissasor's Motion for Reconsideration	40	
10/27/2021	Exhibits/Appendix	40.1	
10/28/2021	Appeal entered in Appeals Court on 10/26/2021 docket number A.C. No. 2021-P-0960	41	
10/28/2021	Endorsement on Application  (P#37 - Affidavit of Indigency) - The transcript sought, for a hearing on the jurisdictional amount which the plaintiff prevailed on does not appear to have any significance for the present Appeal and therefore is DENIED without prejudice for a showing how that hearing is relevant.  Judge: Sarrouf, Camille  (IMPOUNDED)		
10/28/2021	Endorsement on Motion for recusal of Judge Camille Sarrouf (#38.0): DENIED After review DENIED. There being no legal or rational basis for the requested relief.  Judge: Sarrouf, Camille		
10/28/2021	Endorsement on Motion for reconsideration of the Court's 8/26/21 denial of Plaintiff's motion to vacate 1-88 dismissal and the Court's 8/27/21 denial of Plaintiff's motion for clarification (#40.0): DENIED After review of the full docket for this case initially filed in January 2020, and my initial Order of 4-22-21 and Plaintiff's failure to adhere to the deadlines set, the Motion is DENIED.  Judge: Sarrouf, Camille		
10/29/2021	Plaintiff Andre Bissasor's Motion for Clarification of the Court's 10-28-21 Denial of Plaintiffs Motion for Reconsideration of Vacatur of 1-88 Dismissal	42	
11/01/2021	Endorsement on Motion for Clarification of the Court's 10-28-21 Denial of Plaintiffs Motion for Reconsideration of Vacatur of 1-88 Dismissal (#42.0): Other action taken The Order setting deadlines was unambiguous. Service of process was not effectuated by the date provided. The case was dismissed and is now under appeal.  Judge: Sarrouf, Camille		
11/04/2021	Plaintiff Andre Bissasor's Notice of Appeal Pursuant to G.L.c 261, 27D Relating to the Court's 10-28-21 Denial Request for Waiver of Costs	43	
11/08/2021	Plaintiff Andre Bissasor's Motion for clarification and/or reconsideration of the Court's 10-28-21 denial of plaintiff's motion for recusal of Judge Camille Sarrouf	44	
11/16/2021	Endorsement on Motion for clarification and/or reconsideration of the Court's 10-28-21 denial of plaintiff's motion for recusal of Judge Camille Sarrouf (#44.0): Other action taken The case has been DISMISSED. Filing and refiling motions seeking clarification and/or reconsideration of		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	an unambiguous ruling is not warranted especially while the matter is on appeal. Therefore, again, DENIED.  Judge: Sarrouf, Camille		
11/17/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Motion of Appellant to stay appellate proceedings filed by Andre Bissasor. (Paper #5), on November 16, 2021, the following order was entered on the docket: RE#5: The plaintiff has filed a motion to stay appellate proceedings for several reasons including his appeal from an order entered by a judge of the Middlesex Superior Court	45	 <a href="#">Image</a>
11/17/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Motion of Appellant to stay appellate proceedings filed by Andre Bissasor. (Paper #1), on November 16, 2021, the following order was entered on the docket: RE#1: It has come to the court's attention that on 9/1/2021	46	 <a href="#">Image</a>
11/17/2021	The following form was generated:  Notice to Appear Sent On: 11/17/2021 10:30:51 Notice Sent To: Andre Bissasor 679 Washington Street #8-206, Attleboro, MA 02703		
11/17/2021	The following form was generated:  Notice to Appear Sent On: 11/17/2021 10:31:37 Notice Sent To: Andre Bissasor 679 Washington Street #8-206, Attleboro, MA 02703 Plaintiff to appear in person or via Zoom. Zoom info included in Notice ID: 161 414 2061 Passcode: 134547		
11/17/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Petition pursuant to G.L. c. 231, s. 118 filed by Andre Bissasor. (Paper #5), on November 16, 2021	47	 <a href="#">Image</a>
11/29/2021	Second Notice of Appeal  Applies To: Bissasor, Andre (Plaintiff)	48	 <a href="#">Image</a>
11/30/2021	Event Result:: Status Review scheduled on: 11/30/2021 02:00 PM Has been: Held as Scheduled Camille Sarrouf, Presiding Appeared: Plaintiff Andre Bissasor  Staff: Matthew Day, Assistant Clerk Magistrate Douglas Nagengast, Assistant Clerk Magistrate		
12/01/2021	Affidavit of Indigency and request for waiver substitution of state payment of fees and costs filed without Supplemental affidavit (IMPOUNDED)	49	
12/01/2021	Endorsement on Application  (Affidavit of Indigency - P#49) - ALLOWED. For purposes of hearing and findings for Plaintiff's Appeal. (IMPOUNDED)  Judge: Sarrouf, Camille		
12/02/2021	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that on December 1, 2021, the following entry was made on the docket of the above-reference case: ORDER RE#10: The order of 11/16/21 on #5 is to stand. Plaintiff's request for leave to file a motion for state payment of costs of the transcript of the G.L. c. 261, s. 27C hearing scheduled for 11/30/21, is denied without prejudice to renewal after entry of an order on the motion for funds pursuant to G.L. c 261, s. 27B, form which plaintiff is entitled to appeal.	50	 <a href="#">Image</a>
12/07/2021	Endorsement on Application  EXPANDED ENDORSEMENT on plaintiff's request for waiver of fees for transcript of hearings, a motion for recusal, and oral motions for further impoundment and disclosure of ex-parte communications pursuant to SJC Rule 2.9. After due consideration and review the following Orders are issued relative to the plaintiff, Andre Bissasor's ("Andre"), requests for relief:  Pursuant to G.L. c.261 §27B and 27C a hearing was held on November 30, 2021, via Zoom , to determine whether the transcript sought by the plaintiff, Andre Bissasor ("Andre") was reasonably necessary to allow for the prosecution of his appeal of the dismissal of his action by this Court. After initially, and without hearing, denying Andre's request I find, for the reasons stated by him, including but not limited to the statement of his claim, the manner in which he felt he was actively prosecuting his claim against the defendant and thereafter stating the desire/need for the transcript, Andre has met his burden	51	



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and therefore the Affidavit of Indigency is accepted and the transcript fee is hereby waived related to the November 13, 2020 hearing. The request on Paper #37 is therefore ALLOWED.

Andre further seeks to have this Court (Sarrouf, J.) recused from hearing and/or ruling on matters associated with this action for: 1) racial bias; 2) issues/concerns I personally knew/know the defendant; 3) alleged ex-parte communications with the defendant; and 4) no legal or rational basis for the Court's ruling(s). A hearing was held on November 30, 2021 to address each allegation allowing Andre to express and/or detail the issues he raised. After hearing and consideration, as detailed below, I find the issues to be premised upon, simply and/or seemingly, mere conjecture, conspiracy theories and/or biased assumptions. The following are discussion and rulings on each allegation:

Racial bias. Andre asserts, wrongfully, that premised upon the illegal and irrational decision reached following his failure to adhere to the Order I issued on April 21, 2021, that racial bias and/or implicit bias played a/any part in my ruling(s). Having never met or encountered Andre it was assumed, by him, that I had read the complaint prior to issuing a decision in his case and knew he was a person of color. I did not and had not assumed anything related to his case other than knowledge he was a pro se litigant and, again, seeking additional time to effectuate service of process upon the defendant (contemplated to be up to 18 months pursuant to the Order). Therefore, prior to dismissal of his action the only ruling was that of the extension to effectuate the service of his complaint (filed January 9, 2020), which was Allowed on April 17, 2021 (Paper #17). I find the suspicions and conclusions reached related to bias/implicit bias to be baseless and without merit;

Issues/Concerns of a personal relationship with defendant. Andre alleges I knew/know the defendant based upon an allegation defendant and I attended the same law school during the 1990's. During the hearing I indicated I had never met nor did/do I know the defendant. A concern was then raised relative the April 17, 2021 ruling in which the defendant was given an extended period of time to answer the complaint when/if served which seemingly bolstered plaintiff's suspicion. That as well was explained as a usual ruling for those who would be served and in receipt of delayed pleadings. I find the suspicions and conclusions reached by Andre to be baseless and without merit; and

Ex-parte communications with defendant. Andre demanded an investigation, pursuant to SJC Rule 2.9, be undertaken with regard to ex-parte communications by defendant with the session clerk, clerk's office and/or me. After discussion and review of Canon 2, I found no basis for Andre's claim of impropriety. At no time, as mentioned during the hearing, had any word or information reached me or my lobby regarding communication with the named defendant. The only ex-parte communications I was aware of where those of Andre and such never were considered in any decision reached by me. I explained the Rule 9A process utilized in Middlesex/Lowell and concluded examination or investigation into ex-parte communication(s), or allegations thereof, would not be relevant as none were ever relayed, intimated and/or discovered by me. Again, I reiterated that I had allowed Andre's motion in April and set deadlines based upon the lengthy (then likely to be 18 months) delay in effectuating service of process. I find the suspicions and conclusions reached, premised upon ex-parte communications in allowing Andre's motion in April 2021, to be baseless and without merit.

Therefore, for the reasons stated herein Andre's motion for recusal is DENIED.

Andre, orally, seeks, pursuant to G.L. c.261 §27B and 27C, a motion to impound the present hearing and additionally seeks waiver of fees in the expected ordering of a transcript. At the beginning of the hearing Andre sought to remove the named defendant, Craig Donais, from the Zoom hearing. Mr. Donais was informed and indeed removed as he is not a party to the action, having never been served, and therefore his removal and grant of Andre's oral motion is ALLOWED as a continuation, per se, of the prior ruling/approval based upon the subject matter(s) being discussed. After hearing I find, for the reasons stated by Andre, including but not limited to his statement of claims, the manner in which he felt he was still attempting to actively prosecute his claim against the defendant and thereafter stating the desire/need for the transcript, that Andre has met his burden therefore the Affidavit of Indigency is accepted and the transcript fee is hereby waived related to the November 30, 2021 hearing.

SO ORDERED.

Judge: Sarrouf, Camille

(see scanned image for additional footnotes)

02/01/2022	CD of Transcript of 11/13/2020 10:30 AM 1 Trial Hearing received from Louise Waddell. 1	52
01/18/2023	Notice of docket entry received from Appeals Court NOTICE OF DOCKET ENTRY: Please take note that, with respect to the Status Report filed by Andre Bissasor. (Paper #23), on January 18, 2023, the following Order Was Entered on the Docket. Dated:	53



## Case Disposition

<a href="#">Disposition</a>	<a href="#">Date</a>	<a href="#">Case Judge</a>
Dismissed No Service 1-88	08/02/2021	

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>